REMARKS

Applicants have carefully considered this Application in connection with the Examiner's Final Action, and respectfully request reconsideration of this Application in view of the above Amendments and the following remarks.

Applicants have cancelled Claim 10.

Applicants have amended Claims 1 and 24. Claims 1 and 24 have been amended to clarify that the carriage in slidable receipt onto the launch rail member engaged the airborne vehicle at the fuselage.

Claims 1 – 9 and 11 – 24 are pending.

1. Claim Rejections.

Claims 1-6, 8-12, 15-18, and 21-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Woodland (U.S. Patent No. 6,056,237) in view of Young et al (U.S. Patent No. 6,626,399). Notwithstanding the response to these rejections below, Applicants make no admission that Young is prior art for the purposes of the instant patent application.

In addition to the previously put forth argument that Applicants' claims 1 and 24 call for an airborne vehicle with wings capable of being removed, a launch system including a launch rail, and a container to hold the airborne vehicle and the launch rail, the Applicants' claim 1 (as amended) and claim 24 (as amended) call for a carriage which is in slidable receipt with the launch rail and engages the airborne vehicle at the fuselage. The pins of Young engage the airborne vehicle at the tips of the wings. Woodland discloses no engagement with the airborne vehicle.

In order to make obvious Applicants' claimed invention, the references cited by the Examiner must disclose all claimed limitations, *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), and there must be some suggestion or motivation to modify the reference or to combine reference teachings. *In re Vaeck*, 947 F.2d 488, 20 U.S.PQ.2d 1438 (Fed. Cir. 1981). Nothing in the cited references shows or suggests engagement of a carriage or launch rail with the fuselage of the airborne vehicle. Therefore, Applicants respectfully traverse these rejections and requests the Examiner to withdraw the obviousness rejection of Claims 1 and 24.

Because no cited reference teaches or suggests, alone or in combination, the elements of independent claim 1, claim 1 is not obvious in light of the cited references. If an independent claim is nonobvious under 35 U.S.C § 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). Claims 2-9 and 11-23 ultimately depend from Claim 1. Therefore, Applicant respectfully requests the Examiner to withdraw the obviousness rejection of Claims 2-9 and 11-23.

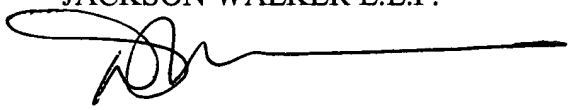
CONCLUSION

Applicants respectfully submit that, in light of the foregoing Amendments and remarks, the amended claims are in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any other matters which pertain to this Application, the Examiner is encouraged to contact the undersigned to resolve these matters by Examiner's Amendment where possible.

The applicant requests a telephone call if there are any problems associated with this Response, as this Response is believed to put the case in condition for allowance.

Respectfully submitted,
JACKSON WALKER L.L.P.



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